

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

<p><b>TQP DEVELOPMENT, LLC,</b></p> <p style="text-align: center;"><b>Plaintiff,</b></p> <p style="text-align: center;"><b>v.</b></p> <p><b>ALASKA AIR GROUP INC., ET AL.,</b></p> <p style="text-align: center;"><b>Defendant.</b></p>	§ § § § § § § § § §	<p style="text-align: center;"><b>No. 2:11-CV-398-JRG-RSP</b></p> <p style="text-align: center;"><b>JURY TRIAL DEMANDED</b></p>
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**STIPULATED MOTION FOR DISMISSAL WITH PREJUDICE**

The plaintiff TQP Development, LLC and defendant Orbitz, LLC, pursuant to Fed. R. Civ. P. 41(a)(2) and (c), hereby move for an order dismissing Plaintiff's claims in this action WITH PREJUDICE and dismissing all counterclaims as MOOT, with each party to bear its own costs, expenses and attorneys' fees.

SO STIPULATED:

November 8, 2013

Respectfully submitted,

<p><u>/s/ Wasif Qureshi</u></p> <p>Neil J. McNabnay  <a href="mailto:mcnabnay@fr.com">mcnabnay@fr.com</a>  Texas Bar No. 24002583  David B. Conrad  <a href="mailto:conrad@fr.com">conrad@fr.com</a>  Texas Bar No. 24049042  Ricardo J. Bonilla  <a href="mailto:rbonilla@fr.com">rbonilla@fr.com</a>  Texas Bar No. 24082704  <b>FISH &amp; RICHARDSON P.C.</b>  1717 Main Street, Suite 5000</p>	<p><u>By: \s\ Paul A. Kroeger</u>  Paul A. Kroeger</p> <p>Marc A. Fenster, CA SB No. 181067  Email: <a href="mailto:mfenster@raklaw.com">mfenster@raklaw.com</a>  Adam S. Hoffman, CA SB No. 218740  Email: <a href="mailto:ahoffman@raklaw.com">ahoffman@raklaw.com</a>  Alexander C.D. Giza, CA SB No. 212327  Email: <a href="mailto:agiza@raklaw.com">agiza@raklaw.com</a>  Paul A. Kroeger, CA SB No. 229074  Email: <a href="mailto:pkroeger@raklaw.com">pkroeger@raklaw.com</a>  <b>Russ August &amp; Kabat</b>  12424 Wilshire Boulevard, 12th Floor  Los Angeles, CA 90025  Telephone: (310) 826-7474</p>
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<p>Dallas, TX 75201 (214) 747-5070 - Telephone (214) 747-2091 – Facsimile</p> <p>Wasif Qureshi <a href="mailto:qureshi@fr.com">qureshi@fr.com</a> Texas Bar No. 24048155 <b>FISH &amp; RICHARDSON P.C.</b> 1221 McKinney St., Suite 2800 Houston, TX 77010</p> <p><b>Attorneys for Defendants</b> <b>ORBITZ, LLC, EXPEDIA, INC., and</b> <b>HOTWIRE INC.</b></p>	<p>Facsimile: (310) 826-699</p> <p>Andrew W. Spangler, State Bar No. 24041960 Email: <a href="mailto:spangler@sfipfirm.com">spangler@sfipfirm.com</a> <b>Spangler Law P.C.</b> 208 N. Green St., Suite 300 Longview, TX 75601 Telephone: (903) 753-9300 Facsimile: (903) 553-0403</p> <p><b>Attorneys for Plaintiff</b> <b>TQP DÉVELOPMENT, LLC</b></p>
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**CERTIFICATE OF SERVICE**

I hereby certify that on the 8th day of November, 2013, I electronically filed the foregoing document with the clerk of the court for the U.S. District Court, Eastern District of Texas, Marshall Division, using the electronic case filing system of the court. The electronic case filing system sent a “Notice of Electronic Filing” to the attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means.

/s/ Paul A. Kroeger

Paul A. Kroeger

**CERTIFICATE OF CONFERENCE**

I hereby certify that counsel for Plaintiff and counsel for Defendant have conferred regarding the foregoing Motion, and Defendant does not oppose the relief sought.

Dated: November 8, 2013

/s/ Paul A. Kroeger

Paul A. Kroeger